

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA

Case No. MJ-25- 61 -GF-JTJ

V.

Daniel Delgado-Rodriguez


**AFFIDAVIT OF JOSHUA TRACY
IN SUPPORT OF A CRIMINAL COMPLAINT
STATEMENT OF PROBABLE CAUSE**

I, Supervisory Border Patrol Agent Joshua Tracy, declare under penalty of perjury that the following is true and correct.

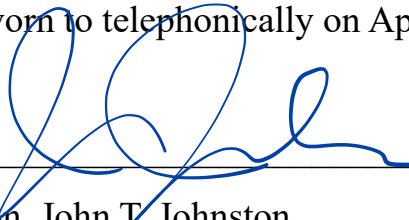
1. I am a Supervisory Border Patrol Agent. I have learned the facts recited herein from direct participation in the investigation and from the reports and communications of other agents and officers.
2. Daniel Delgado-Rodriguez, hereafter “Defendant,” is a 32-year-old alien unlawfully in the United States. Defendant is a citizen of Mexico.

3. Defendant was advised of his constitutional rights. Defendant freely and willingly acknowledged his rights and agreed to provide a statement under oath.
4. Defendant stated he has been in the United States since 2010. Defendant claimed to have entered illegally through Texas.
5. Pursuant to Title 8, United States Code (U.S.C.) Section 1302(a), aliens, who are 14 years or older and unlawfully present in the United States without visas or status, are required to apply for registration and to be fingerprinted if they have been in the United States 30 or more days.
6. On April 27, 2025, your affiant checked all databases and confirmed Defendant has never registered or filed any immigration paperwork.
7. After the Defendant was read his *Miranda* rights, he made statements acknowledging the following:
 - a. He does not have a visa or other immigration paperwork to lawfully enter the United States.
 - b. He knew he needed legal documentation from the United States to enter, and he has not filed paperwork with United States immigration service for legal status or permission to be in the United States.
 - c. He had not registered his presence or entry to the United States with immigration service or other United States government agency.

8. For these reasons, this affiant submits that there is probable cause to believe that beginning on or about January 2, 2010, through April 26, 2025, that Defendant, an alien, who is required to register and be fingerprinted pursuant to Title 8 U.S.C. 1302(a), willfully failed to do so, in violation of Title 8, U.S.C. Section 1306(a).
9. This affidavit was sworn to telephonically before a United States Magistrate Judge legally authorized to administer an oath for this purpose. I have thoroughly reviewed the affidavit and the attachments to it, and attest that there is sufficient evidence to establish probable cause that the defendant violated Title 8, U.S.C., Section 1306(a).


Joshua Tracy, Supervisory Border Patrol Agent
United States Border Patrol

Sworn to telephonically on April 28, 2025.


Hon. John T. Johnston
United States Magistrate Judge